

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA

v.

**EVA EDL
DEFENDANT**

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**Case No. 3:22-00327-8
Magistrate Frensley**

UNOPPOSED MOTION TO CONTINUE SENTENCING HEARING

Comes now the defendant, Eva Edl, by and through her counsel of record, David R. Heroux, and respectfully moves this Honorable Court to continue the Sentencing Hearing in this matter currently set for July 30, 2024. The defense would ask that the Sentencing Hearing be continued to a date after the conclusion of the Ms. Edl's Trial in the Eastern District of Michigan which is set for August 6, 2024, wherein she is charged with one count of Conspiracy Against Rights of Citizens (a felony), and 2 counts of violation of the FACE Act (misdemeanors), (2:23-cr-20100 (EDMI), DE 1, and 175).

At the time of the scheduling the Sentencing Hearing, Ms. Edl had a jury trial date scheduled for August 6, 2024 (2:23-cr-20100 (EDMI), DE 175); and that trial is expected to last for two weeks. Counsel has had discussions with Ms. Edl's Michigan defense counsel regarding the July 30, 2024, Sentencing Hearing scheduled in the Middle District, and both counsels agree that Ms. Edl has a Constitutional right to testify at both the Sentencing Hearing in the Middle District of Tennessee and the Trial in Michigan. However, if Ms. Edl were to exercise her right to testify at her July 30, 2024, Sentencing Hearing, such testimony may be injurious to her case in Michigan, such that Ms. Edl

would have to forego her right to testify at her Sentencing Hearing to ensure that any such testimony would not compromise her position in the Michigan Trial. Counsel for Ms. Edl has discussed this motion with the United States and has been authorized to advise the Court that the United States does not oppose the motion.

Based on the foregoing, Ms. Edl herein moves this Court to continue the Sentencing Hearing to a date after the conclusion of Ms. Edl's Trial in the Eastern District of Michigan. Counsel would suggest that the Sentencing Hearing be set for middle or late September of 2024, subject to the availability of the Court.

Respectfully submitted,

Haymaker & Heroux, P.C.

s/ David R. Heroux

David R. Heroux, BPR 20798
Attorney for Ms. Edl
545 Mainstream Drive, Ste. 420
Nashville, Tennessee 37228
(615) 250-0050

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing “MOTION TO CONTINUE SENTENCING HEARING” has been provided to:

Nani Gilkerson, Assistant United States Attorney
719 Church Street
Suite 3300
Nashville, TN 37203

Kyle Randolph Boynton
U. S. Department of Justice
150 M St. NE, 7.923
Washington, DC 20530

Sanjay Harivadan Patel
U.S. Department of Justice
Criminal Section - Civil Rights Division
4 Constitution Square
150 M Street, NE - 7.121
Washington, DC 20530

Wilfred T. Beaye , Jr.
U.S. Department of Justice
Criminal Section
150 M Street NW
Washington, DC 20530

This the 17th day of July, 2024.

S/: David R. Heroux
David R. Heroux